

## UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America

v.

BLAKE ROBERTS,

Case No.

1:22-mj-0783

SEALED

*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 8, 2022 in the county of Marion in the  
Southern District of Indiana, the defendant(s) violated:

*Code Section*

18 U.S.C. § 922(g)(1)

*Offense Description*

Possession of a Firearm by a Prohibited Person

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.

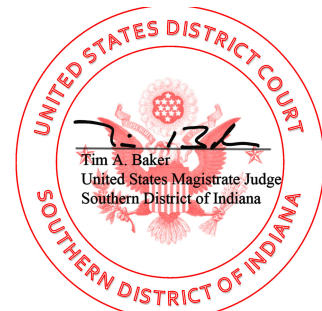
/s/ David B. McDaniel

*Complainant's signature*

David B. McDaniel, Task Force Officer

*Printed name and title*

Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by  
telephone *(reliable electronic means)*

Date: 9/2/2022City and state: Indianapolis, IN

**AFFIDAVIT IN SUPPORT OF**  
**APPLICATION FOR CRIMINAL COMPLAINT**

1. Your Affiant, David McDaniel, is a Task Force Officer (TFO) with the federal Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), a component of the United States Department of Justice, and has served in that capacity since 2008. Your Affiant is currently assigned to the Indianapolis Group I Field Office – Achilles Task Force and is charged with investigating violations of federal firearms, explosives, and arson laws, as well as offenses enumerated in Titles 18 and 26 of the United States Code. Your Affiant is a Detective for the Indianapolis Metropolitan Police Department (IMPD) and has been employed with IMPD since November 1995.
2. As a law enforcement officer, your Affiant has participated in investigations involving homicides, aggravated batteries, serious violent felons, firearms, drug trafficking, robberies, and financial crimes, among other matters. Your Affiant has also testified in judicial proceedings and prosecutions for violations of comparable state law. Your Affiant received their initial training at the Indianapolis Metropolitan Police Department Academy in 1995. Your Affiant has satisfied the minimum basic training requirements established by rules adopted by the law enforcement training board under I.C. 5-2-1-9 and described in I.C. 35-37-4-5. Your Affiant has completed Basic Detective School through the Indianapolis Police Department and has attended various narcotics trainings both locally and through the United States Department of Justice. Your Affiant has received Quarterly Firearms Training (held in Indianapolis) and yearly in-service training (held in Indianapolis).
3. This affidavit is submitted in support of a criminal complaint charging Blake ROBERTS, (date of birth XX/XX/1992) with possession of a firearm by a prohibited person in violation of Title 18, United States Code, Section 922(g)(1).

4. The information contained in the below numbered paragraphs is either personally known to your Affiant or told to your Affiant by other law enforcement officers.
5. On Friday, April 8, 2022, Officer Jonathon Willey with the Indianapolis Metropolitan Police Department (IMPD) became aware that a person identified as Blake ROBERTS, white male, DOB XX/XX/1992, had two active warrants for felony resisting arrest using a vehicle out of Marion County, Indiana, under Cause Numbers 49D26-2201-F6-000637 and 49D26-2203-F6-005630.
6. Officer Willey found that ROBERTS had a Facebook page under the name “Blake ROBERTS” <https://www.facebook.com/profile.php?id=100078323361407>. Officer Willey compared the profile picture of the profile and confirmed it to match the BMV photograph of ROBERTS. The date of birth listed on the Facebook page also matches that of ROBERTS. Officer Willey requested and was granted a search warrant for ROBERTS Facebook account under Marion County, Indiana, cause number 49D33-2204-MC-009541.
7. After receiving the Facebook search warrant return, Officer Willey found evidence of ROBERTS illegally possessing firearms. More specifically, on April 8, 2022, ROBERTS told Cody Mayes via Facebook messages that “I need it back” and then says “Nah fr tho I cant be naked like this fam, chopper to big to carry around, find me another pistol.” Officer Willey knows that a “chopper” refers to an AK-47 style rifle. Cody Mayes asks ROBERTS what he wants and ROBERTS states he wants a “pocket rocket.” Officer Willey believes this conversation to mean that ROBERTS is wanting to purchase a new smaller pistol that he can fit in his pocket while he is out moving around and that he currently has possession of an AK-47 style rifle which he does not want to carry around. Officer Willey never observed any subsequent conversations where ROBERTS says he got rid of his “chopper.” Thus based on

that information Roberts continued to have the firearm in his possession. Officer Willey knows ROBERTS to be considered a serious violent felon as he has a prior conviction for Burglary, on or about February 14, 2012, in Hendricks County, Indiana, under cause number 32D03-1107-FB-000047.

8. Officer Willey through his investigation, including surveillance of ROBERTS on multiple occasions, learned that ROBERTS was living with his girlfriend at a residence in Indianapolis, Indiana. Officer Willey also learned that ROBERTS had control over a white Buick.
9. Officer Willey requested and was granted a search warrant for the residence and the white Buick for firearms under Marion County, Indiana, Cause Number 49D25-2204-MC-010518.
10. On April 19, 2022, detectives with the IMPD southwest district violent crime task force and officers with the IMPD southwest district violence reduction team attempted to serve the warrant.
11. Officers believed that ROBERTS was inside the residence. IMPD Officers Baukat and Hansel, both in fully marked police vehicles, pulled up behind the residence, which was located near the white Buick. Officer Willey and Sergeant Clark approached the front of the residence in fully marked units. As Officer Baukat pulled in the back, he was immediately notified by Detective Stevenson that he observed ROBERTS walking out of a tent in the backyard and towards the white Buick. Officer Baukat advised that he and ROBERTS made eye contact and that ROBERTS had his hand in his pocket.
12. ROBERTS took off running north bound. Detectives and officers began a foot chase with ROBERTS. During the chase, ROBERTS had his right hand in his right coat pocket. Detective Carmack stated that he believed ROBERTS had a gun in his possession. ROBERTS continued running north/northwest through yards and an alley. Officer Willey, in full police uniform, got

behind ROBERTS as they were running. During the course of the pursuit, officer Willey observed ROBERTS maintain his right hand in his right coat pocket. Once Officer Willey got close enough, he deployed his department issued taser. Officer Willey knows through his training and experience that when people have a firearm on their person, they will typically keep their hand on it if they run. Officer Willey believed this to be the safest way to get ROBERTS to stop fleeing. ROBERTS fell to the ground a few seconds after the taser was deployed but still refused to give up his right hand. Officer Willey held ROBERTS at gun point until other officers arrived to assist.

13. Officer Willey along with Officer Baukat, Officer Hansel, Sergeant Clark, Detective Carmack, Detective Junior, and Detective Didandeh attempted for several minutes to get ROBERTS right hand free. Detective Carmack pepper sprayed ROBERTS in an attempt to get him to free his hand, he still refused. After a lengthy struggle ROBERTS hand was eventually forced from under him and handcuffs were applied. Detective Stevenson observed a black firearm in ROBERTS' right coat pocket where he was hiding his hand the entire time. The firearm was identified as a black SCCY, model CPX-2, 9mm Luger semi-automatic handgun bearing serial number 261748. It was loaded with 8 rounds in the magazine. The handgun had been reported stolen gun under IMPD case number IP21114212.

14. After the apprehension of ROBERTS, officers went into the residence to execute the search warrant. While executing this search warrant, Detective Didandeh located a Crown Royal bag laying in the kitchen on the stove. Inside of the bag Detective Didandeh located a clear plastic bag containing a white crystal substance that she believes to be methamphetamine, a black operational digital scale with white residue and a glass smoking pipe. Detective Didandeh knows through her training and experience that narcotic's dealer's keep digital scales, such as

the one located in the black bag, to weigh out the illegal narcotics for sale. Detective Didandeh also knows that the amount of methamphetamine found is more common for a dealer and not a drug user, with the approximate weight being over an ounce.

15. Officer Willey requested and was granted an additional search warrant to include narcotics for located at the residence in Marion County, Indiana.
16. While conducting a search of the residence and the white Buick, officers located additional illegal narcotics and narcotics paraphernalia. Additionally, officers located numerous rounds of various calibers of ammunition inside the residence, inside a tent at the rear of the residence and inside the white Buick.
17. In the Buick, officer located a box of twenty (20) rounds of 5.56 X 45 caliber live ammunition on top of the storage tray below the radio. Officers also found a black E3 Arms, model Omega-15, 5.56mm caliber semiautomatic rifle bearing serial number A05123. The rifle was loaded with one round in the chamber and eleven rounds in the magazine. The rifle was found in the trunk of the Buick. Prior to the arrest, officers observed ROBERTS in control of and working on the Buick on multiple occasions. It should also be noted that ROBERTS had a lanyard around his neck at the time of his arrest and on the lanyard was the key to the Buick. Officer Willey believes this rifle to be the "chopper" that ROBERTS was referring to in his Facebook messages.
18. All evidence and items recovered were later transported to the IMPD Property Room by Detective Houdashelt.
19. All events occurred in Marion County, Indianapolis, IN, Southern District of Indiana.
20. The SCCY, model CPX-2, 9mm Luger semi-automatic handgun bearing serial number 261748, and the E3 Arms, model Omega-15, 5.56mm caliber semiautomatic rifle, bearing

serial number A05123 were examined and found to have been manufactured outside the state of Indiana and therefore had travelled in interstate commerce.

21. ROBERTS has sustained felony convictions for crimes punishable by more than one (1) year of imprisonment of which he had knowledge, including:

- a. Burglary of a Dwelling, B-felony, on February 14, 2012, in Hendricks County Indiana, under cause number 32D03-1107-FB-000047,
- b. Theft, D-felony, on January 25, 2011, in Hendricks County Indiana, under cause number 32D02-1010-FB-000014,
- c. Theft of a Firearm, level 6 felony, on March 16, 2018, in Marion County Indiana, under cause number 49G06-1801-F6-000892,
- d. Theft, level 6 felony, on January 19, 2022, in Shelby County Indiana, under cause number 73D02-2104-F6-000152.

### Conclusion

22. Based on the facts set forth in this affidavit, your Affiant submits that probable cause exists that on April 9, 2022, in the Southern District of Indiana, Blake ROBERTS committed the offense of possession of a firearm by a prohibited person in violation of Title 18, United States Code, Section 922(g)(1). I respectfully request this Court issue a Criminal Complaint for ROBERTS accordingly, along with a warrant for his arrest.

s/ David B. McDaniel  
David B. McDaniel, Task Force Officer  
Bureau of Alcohol, Tobacco, Firearms, and Explosives

Subscribed and sworn to me, pursuant to Federal Rules of Criminal Procedure 4.1 and 41(d)(3), by reliable electronic means.

Date: 9/2/2022

